



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

ZACHARY W. CARTER
Corporation Counsel

EVAN BRUSTEIN
Senior Counsel
Phone: (212) 356-2651
Fax: (212) 356-3509
Email: ebrustei@law.nyc.gov

October 13, 2017

BY ECF:

Honorable P. Kevin Castel
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Phoenix Feeley v. City of New York, et al.,
15 CV 8349 (PKC)

Your Honor:

I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney for defendants City of New York and Police Officer Michael Jurena in the above-referenced action. I write to respectfully withdraw the portions of Defendants' Opposition to plaintiff's Motions In Limine, which referenced Holly Van Voast.

While the undersigned believed that Ms. Van Voast and plaintiff were the same individual, based upon the representations of plaintiff's counsel, Jeffrey Rothman, Esq., the undersigned now believes that he was in fact mistaken. Accordingly, Defendants are withdrawing the portions of their opposition to the motion which reference Ms. Van Voast, but are maintaining the remaining portions of their arguments. The undersigned thanks plaintiff's counsel for bringing this to his attention, and apologizes to the Court and plaintiff for any confusion or delay this may have caused.

Defendants thank the Court for its consideration herein.

Respectfully submitted,

/s

Evan Brustein
Senior Counsel

cc: Jeffrey Rothman, Esq. (via ECF)